

The opinion in support of the decision being entered today was **not** written for publication and is **not** binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

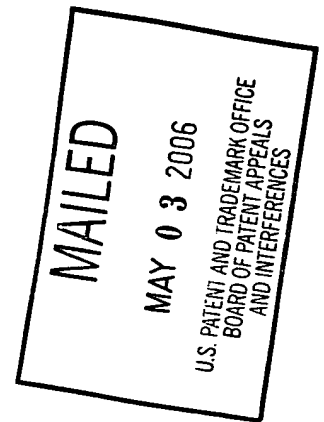
Ex parte BORIS Y. SHEKUNOV, PRATIBHASH CHATTOPADHYAY,
and JEFFREY S. SEITZINGER

Application No. 10/691,113

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on April 5, 2006. A review has determined that the application is not ready for docketing as an appeal. Accordingly, the application is herewith returned to the examiner. The matters requiring attention prior to docketing are identified below:

The Examiner's Answer mailed August 23, 2005 is non-complaint with the formatting guidelines as set forth in the **Manual of Patenting Examining Procedure (MPEP)** § 1207.02(A). The following **headings** do not appear in the Examiner's Answer in the order stated in the Rules:



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- (1) Real Party Interest;
- (2) Related Appeals and Interferences;
- (3) Status of Claims;
- (4) Status of Amendments After-Final;
- (5) Summary of Claimed Subject Matter;
- (6) Grounds of Rejection to be Reviewed on Appeal;
- (7) Claims Appendix;
- (9) Grounds of Rejection;
- (10) Response to Argument; and
- (11) Related Proceedings Appendix.

The following heading **and** content is missing from the Examiner's Answer:

- (8) Evidence Relied Upon.

Correction is required pertaining to the headings and content in the Examiner's Answer.

Accordingly, it is

ORDERED that the application is returned to the examiner to:

- (1) submit a new Examiner's Answer to include all the appropriate headings in the proper order as set forth in **MPEP** § 1207.02(A);

- (2) have the revised copy of the Examiner's Answer scanned into the record; and

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(3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:

A handwritten signature in black ink, appearing to read 'DMS', is written over a horizontal line.

DALE M. SHAW
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DMS/hh